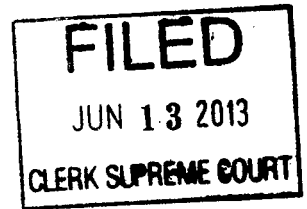


In the Supreme Court of Iowa

**In the Matter of Adoption of
Clarifying Comments to Iowa
Rule of Professional Conduct
32:1.13**

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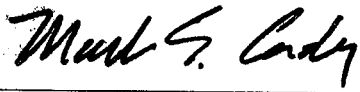
Order



Effective immediately, the Iowa Supreme Court adopts the attached amendment to comment 9, Iowa Rule of Professional Conduct 32:1.13.

Dated this 13th day of June, 2013.

The Supreme Court of Iowa

By 
Mark S. Cady, Chief Justice

Rule 32:1.13: ORGANIZATION AS CLIENT

. . .

Comment

. . .

Government Agency

[9] The duty defined in this rule applies to governmental organizations. Defining precisely the identity of the client and prescribing the resulting obligations of such lawyers may be more difficult in the government context and is a matter beyond the scope of these rules. *See* Scope [18]. Although in some circumstances the client may be a specific agency, it may also be a branch of government, such as the executive branch, or the government as a whole. For example, if the action or failure to act involves the head of a bureau, either the department of which the bureau is a part or the relevant branch of government may be the client for purposes of this rule. Moreover, in a matter involving the conduct of government officials, a government lawyer may have authority under applicable law to question such conduct more extensively than that of a lawyer for a private organization in similar circumstances. Thus, when the client is a governmental organization, a different balance may be appropriate between maintaining confidentiality and ensuring that the wrongful act is prevented or rectified, for public business is involved. In addition, duties of lawyers employed by the government or lawyers in military service may be defined by statutes and regulation. This rule does not limit that authority. For example, the provisions of Iowa Code sections 232.90 and 232.114 adequately accommodate the potentially conflicting roles of county attorneys in criminal prosecutions and child in need of assistance or termination of parental rights proceedings. *See* Scope.